

REMARKS

Claims 1-19 are pending. Claims 1-19 stand rejected. Applicant is amending claims 1, 5, 10, 11, and 15.

Other Amendments

In claims 1, 3, 10, 11, and 13 Applicant is replacing "one or more users" with "at least one user" to more succinctly express the claimed features.

Claim Rejections – 35 U.S.C. § 112

Claim 10 is rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Regarding claim 10, the Office Action suggests (Page 2, paragraph 4):

Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

In accordance with MPEP 2106.IV.B.1.(a) Applicant is amending claim 10 to be directed to a computer-readable medium encoded with a data structure or computer program, to distinguish the first logic, second logic, third logic, fourth logic, and fifth logic, and to show corresponding structural and functional interrelationships between the claimed elements. For example, the second logic provides the selected destination, the fourth logic provides the at least one interaction parameter, and the fifth logic provides a selected virtual university function based on at least one interaction parameter (provided by the fourth logic) and the selected destination (provided by the second logic). Applicant requests reconsideration of claim 10.

Claim Rejections – 35 U.S.C. § 112

Claims 5 and 15 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement.

Applicant is amending claims 5 and 15 to include the feature of "wherein the destinations include a virtual classroom where a user can learn, view a directory of other students in a current class, view materials, grades, announcements, homework, review old tests, administer tests, ask

questions of an instructor, enter a **virtual** breakout room, review lectures, view the class schedule and view research topics” in order to clarify that claims 5 and 15 are directed to a virtual room rather than an actual (physical) room. (Emphasis added.) The amendments are supported by the specification as originally filed. For example, the present patent application discloses function 89300 (as shown in Figure 89) and function 95600 (as shown in Figure 95) for supporting a breakout room in a virtual university system (page 202, lines 22-23).

The Office Action alleges that (Pages 3-4, paragraphs 9):

The limitation of claims 5 and 15 that state, “entering a breakout room” is not disclosed in the specification to enable one of ordinary skill in the art to depict what “a breakout room” is or could be. Furthermore, there is not disclosure that states that the breakout room is an actual room or a virtual room, i.e., the claim language could be interpreted as the computer system giving a user the ability to unlock a room that is called the “breakout room”. Also, there is no disclosure as to how one enters said “breakout room”. Applicant is asked to point to the main body of the specification and the drawings to give support for their arguments.

As admitted in the Office Action admits (Page 10, paragraph 51.):

In the Remarks, Applicant argues in substance that the patent application states what a breakout room is and provides logic in Figure 89 for accessing a breakout room (corresponding to function block 89310). The corresponding description is provided from page 203, line 17 to page 204, line 7. Therefore, the rejection is to be withdrawn. Furthermore, Applicant cites [cites] the IDS titled “Meetings: Do’s, Don’ts and Donuts teach what breakout rooms are for and breakout groups, therefore it is well known in the art.

The specification further discloses (Page 202, lines 24-25.):

Figures 87-96 are flowcharts of a virtual university system in accordance with a preferred embodiment. Processing commences at function block 87000 when a connection is made through the internet to a website associated with the virtual university such as www.vu.edu. A test is made at decision block 87010 to determine where the web traveler would like to venture. The first destination is the student union at decision block 87030.

The above disclosure in the present specification teaches about entering a destination (where the web traveler would like to venture as determined by destination block 87010), e.g., a breakout room (corresponding to functions 89300 (as shown in Figure 89) and function 95600 (as shown in Figure 95). As disclosed in Figures 87-96 in conjunction with what is known in the art regarding an actual breakout room, a virtual breakout room provides the corresponding functionality of an actual breakout room in a virtual university system environment if a web traveler wishes to venture to a virtual breakout room. Applicant thus requests reconsideration of claims 5 and 15.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action alleges (Page 4, paragraph 12.):

In claims 1, 10, and 11, it is recited that “providing a selected virtual university activity type,” which is not specifically stated in the specification as to what “types” of activities are selectable in the virtual university. In the specification there are numerous instances where an “activity” and the “type” it could be. Example, a user can be logging on to the virtual university, therefore the “activity type” would be logging on. This is one interpretation to the claim language out of many and does not limit other interpretations that can be drawn from the broad claim language. Applicant is asked to amend the claim language to further bring out the true essence of the claimed invention and to further prosecute.

Applicant is amending claim 1 to include the feature of “providing a selected virtual university function based on the interaction parameters and the destination, the selected virtual university function being one of a plurality of virtual university functions that offer a virtual university experience for the at least one user” to clarify the interpretation of the claims as supported by the specification in accordance with the suggestion in the Office Action. For example, Figures 87-96 are flowcharts of a virtual university system, where the virtual university system performs different function blocks corresponding to different selections by the at least one user (web traveler). The amendment replaces “virtual university activity type” with “virtual university function”, which is one of a plurality of virtual university functions that offer a virtual university experience for the at least one user. Applicant is similarly amending claim 10 to include the feature of “fifth logic that provides a selected virtual university function based on the interaction parameters and the selected destination, the selected virtual university function being one of a plurality of virtual university functions that offer a virtual university experience for the at least one user, the interaction parameters being provided by the fourth logic.” Applicant is also amending claim 11 to include the feature of “a code segment that provides a selected virtual university function based on the interaction parameters and the destination, the selected virtual university function being one of a plurality of virtual university functions that offer a virtual university experience for the at least one user.” Furthermore, Applicant is amending claim 1 to replace “the selected virtual activity type” with “the selected virtual university function” which is supported by a proper antecedent basis.

Claims 2-9 and 12-19 ultimately depend from claims 1 and 10 and consequently are definite and distinctly claim the subject matter which Applicant regards as the invention. Applicant requests reconsideration of claims 1-19.

Claim Rejections – 35 U.S.C. § 103

Claims 1-4, 6-14, and 16-19 are rejected by the Office Action under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. 6,347,333 (Eisendrath) in view of U.S. 6,078,948 (Podgorny).

Regarding claim 1, the combination of Eisendrath and Podgorny fails to even suggest the features of “establishing **interaction parameters** for the at least one user **based on the selected destination**” and “providing a selected virtual university function based on the **interaction parameters** and the destination, the selected virtual university function being one of a plurality of virtual university functions that offer a virtual university experience for the at least one user.”(Emphasis added.) For example, as discussed by the specification, if a user (web traveler) accesses collaboration (a destination associated with function block 87080), a list of active virtual university active participants is provided for selection. (Page 203, lines 4-5.) However, if the user accesses the virtual library (a different destination associated with function block 92020 as shown in Figure 92), a list of resources is presented from which the user selects the desired resource. (Page 205, lines 14-30.) The Office Action admits that Eisendrath does not (Pages 5-6, paragraph 20):

... specifically teach establishing interaction parameters for the one or more users based on the selected destination; and providing a selected virtual university activity type based on the interaction parameters and the destination, the selected virtual activity type being one of a plurality of virtual university activity types.

The Office Action alleges (Page 6, paragraphs 22-23.):

Podgorny teaches establishing interaction parameters for the one or more users based on the selected destination, (e.g. col. 9, line 38 – col. 10, line 30); and providing a selected virtual university activity type based on the interaction parameters and the destination, the selected virtual activity type being one of a plurality of virtual university activity types, (e.g., col. 7, lines 14-38 & col. 9, line 38 – col. 10, line 30).

Podgorny does disclose a list of messages (i.e., Room Management Messages, Sessions Management Messages, Information Messages, Variable and Lock Messages, and Demon

Pooling Messages, and Event Messages) but fails to suggest anything about parameters. (Column 9, line 38 – col. 10, line 30.) Podgorny further discloses (Column 7, lines 14-38.):

The control logic 225 is responsible for session management and floor control. Any implementation of control logic will likely want to include mechanisms allowing for the following session management and floor control functions, all of which are supported by the system logic and protocol:

1. entering and exiting rooms (e.g., changing rooms);
2. joining an existing session in a room;
3. launching a local or remote application;
4. terminating a local or remote application;
5. controlling entry and exit to rooms with permissions; and
6. controlling the joining and terminating of a session with permissions.

The control logic 225 is also responsible for providing an interface to the user to display relevant information and to allow the user's initiation of collaborative actions. This user-interface is room-specific. For example, the control logic 225 might display textual or iconic representations of the sessions in a room, in conjunction with each session's participants, and the users in a room. An exemplary embodiment of the system provides a default set of control logic, but it is expected that developers will desire to construct implementation-specific control logic, exploiting the functionality provided by the system.

The above teaching in Podgorny merely discloses different rooms and fails to suggest any interaction parameters based on a specific room.

Similarly, independent claim 10 includes the features of “fourth logic that establishes interaction parameters for the at least one user based on the selected destination, the selected destination being provided by the second logic” and “fifth logic that provides a selected virtual university function based on the interaction parameters and the selected destination, the selected virtual university function being one of a plurality of virtual university functions that offer a virtual university experience for the at least one user, the interaction parameters being provided by the fourth logic.” Also, independent claim 11 includes the features of “a code segment that establishes interaction parameters for the at least one user based on the selected destination” and “a code segment that provides a selected virtual university function based on the interaction parameters and the destination, the selected virtual university function being one of a plurality of virtual university functions that offer a virtual university experience for the at least one user.” Claims 10 and 11 are patentable for at least the above reasons. Claims 2-4, 6-9, 12-14, and 16-19 ultimately depend from claims 1, 10, and 11. Thus, Applicant requests reconsideration of claims 1-4, 6-14, and 16-19.

Claims 5 and 15 are rejected by the Office Action under 35 U.S.C. 103(a) as allegedly being unpatentable over Eisendrath and Podgorny and in further view of "what is well known in the art."

Claims 5 and 15 depend from claims 1 and 11, respectively, and thus are patentable for at least the above reasons. Moreover, the Office Action alleges that (Page 8, paragraph 45):

Podgorny teaches a breakout room, (e.g. col. 5, lines 9-19).

Podgorny does disclose (Column 5, lines 9-19. Emphasis added.):

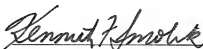
Applicants of the same group may be organized into **collaborative sessions**. In the example of FIG. 1, applications 110a and 110b form a first session. A session may consist of a single application instance, e.g., group 120a, which for example may represent an initial state of a session, or it may involve many application instances, depending entirely on the nature of the implementation. For example, a chess game might involve two participants per session, but a distance learning application might involve hundreds of participants per session.

However, as shown in Figures 87-96 and discussed in the associated text (page 202, line 21-page 208, line 4), collaboration (e.g., functional block 95420 as shown in Figure 95) is differentiated from breakout rooms (e.g., functional block 95600). Applicant requests reconsideration of claims 5 and 15.

It is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Respectfully submitted,

Date: August 15, 2006


Kenneth F. Smolik
Registration No. 44,344
BANNER & WITCOFF, LTD.
10 S. Wacker Drive, Suite 3000
Chicago, IL 60606-7407
Telephone: 312-463-5000
Facsimile: 312-463-5001